

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

[21-cv-03496-AMO](#) Surgical Instrument Service Company, Inc. v. Intuitive Surgical, Inc.

TRIAL SHEET, EXHIBIT and WITNESS LIST

JUDGE:	PLAINTIFF ATTORNEY:	DEFENSE ATTORNEY:
Araceli Martínez-Olguín	Richard McCaulley and Joshua Van Hoven	Kenneth Gallo, Paul Brachman, and William Michael
TRIAL DATE:	REPORTERS:	CLERK:
January 21, 2025	Ruth Levine Ekhaus	Alexis Solorzano Rodriguez

EXHIBIT NO.	TIME OFFERED	ID	DESCRIPTION
	8:03 AM		Court called into session. Objections to deposition designations discussed. The Court issued rulings on objections as stated on the record.
	8:33 AM		Court in recess.
	8:36 AM		Court back in session. Jury brought into the courtroom.
	8:38 AM		Court in recess. Jury excused for short break.
	8:55 AM		Court back in session. Jury brought back into the courtroom. Plaintiff's counsel presented video deposition of Daniel Jones.
606	9:01 AM	08/21/2017 Email - Subject: RE: Cost for Setting up "dragon" business and Att.: "US X&Xi Instrument Collection & Cleaning Cost Model 8.21.17.xlsx"	Admitted and published to jury during video deposition of Colin Morales.
614-R	9:01 AM	2020-09 - Presentation - Intuitive "Gen4 Instrument Refurbishment Pilot"	Admitted and published to jury during video deposition of Colin Morales.
	9:01 AM		Plaintiff's counsel presented video deposition of Colin Morales.
	9:27 AM		Plaintiff's counsel presented video deposition of Ronald Bair, Jr.
	9:43 AM		Plaintiff's counsel presented video deposition of Kevin May.

	9:57 AM		Courtroom sealed.
	9:59 AM		Sidebar.
	10:00 AM		Sidebar concluded.
	10:02 AM		Plaintiff's counsel presented sealed portion of video deposition of Kevin May.
	10:06 AM		Court unsealed and reopened. Court in recess. Jury excused for break.
	10:18 AM		Court back in session. Materials for Juror No. 5 admitted as Court Exhibit No. 1.
	10:23 AM		Jury brought back into the courtroom.
1688	10:24 AM	Pullman Regional Hospital Website - Da Vinci Surgical Robotics	Admitted and published to jury during video deposition of Edward Harrich.
	10:24 AM		Plaintiff's counsel presented video deposition of Edward Harrich.
	11:02 AM		Plaintiff's counsel presented video deposition of Clif Parker.
	11:19 AM		Courtroom sealed.
	11:20 AM		Plaintiff's counsel presented sealed portion of video deposition of Clif Parker.
	11:23 AM		Jury excused for break. Court unsealed and reopened. Court in brief recess.
	11:31 AM		Court back in session.
	11:34 AM		Court in recess.
	11:36 AM		Court back in session.
	11:37 AM		Jury brought into the courtroom.
	11:39 AM		Plaintiff's counsel presented video deposition of Stan Hamilton from 2021.
	11:46 AM		Plaintiff's counsel presented video deposition of Stan Hamilton from 2022.
1698	12:02 PM	11/12/2019 Email chain ending in email from J. Herdman to J. Freehling et al. re Octover Rebotix repair Savings	Admitted and published to jury during video deposition of Glenn Papit.
	12:03 PM		Plaintiff's counsel presented video deposition of Glenn Papit.

TRIAL SHEET, EXHIBIT and WITNESS LIST CONTINUED

EXHIBIT NO.	TIME OFFERED	ID	DESCRIPTION
	12:39 PM		Jury excused for lunch.
	12:44 PM		Court in recess for lunch.
	1:08 PM		Court back in session.
	1:13 PM		Jury brought back into the courtroom.
769	1:13 PM	01/24/2020 - Email - Subject: Fw: REB MEMORANDUM OF UNDERSTANDING (002) Att.: "REB MEMORANDUM OF UNDERSTANDING (002).docx"	Admitted and published to jury during video deposition of Chris Gibson.
1691	1:13 PM	02/04/2019 Email chain ending with email from C. Gibson to J. Dulaney re Premier Custom Contract - RFP, with attachment.	Admitted and published to jury during video deposition of Chris Gibson.
	1:13 PM		Plaintiff's counsel presented video deposition of Chris Gibson.
	1:42 PM		Plaintiff rested. Jury excused for break.
	1:43 PM		Defendant moved under Fed. R. Civ. P. 50 for judgment as a matter of law following the close of Plaintiff's case-in-chief. The Court heard oral argument from both Defendant and Plaintiff and granted Defendant leave to file a written brief. The Court took the motion under submission. As stated earlier in the proceedings, Plaintiff not to file a response unless requested by the Court.
	2:00 PM		Court in recess.
	2:06 PM		Court back in session. Jury brought back into the courtroom.
	2:07 PM		Witness Mr. David Rosa called to the stand and sworn in. Defendant's counsel, William Michael began direct examination.
1644.008	2:17 PM	Lenny instrument arm and instrument	Physical exhibit admitted and shown to jury.
1644.009	2:25 PM	Mona EndoWrist	Physical exhibit admitted and shown to jury.

1644.010	2:28 PM	EndoWrist from da Vinci Standard	Physical exhibit admitted and shown to jury.
	2:31 PM		Jury excused for the day.
	2:32 PM		Court adjourned for the day.